

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:08cr00088-009</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE JAMES S. GWIN</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>ELIGE RUSSELL,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter was heard on May 5, 2011, upon the request of the United States Pretrial and Probation Office for a finding that defendant had violated the conditions of his supervised release. The defendant was present and represented by Attorney Timothy Ivey.

The original violation petition was referred to United States Magistrate Judge William H. Baughman, Jr., on March 24, 2011, for a Report and Recommendation. The Report and Recommendation was issued April 12, 2011.

The defendant, in open Court, waived his right to a hearing and any appeal of the Report and Recommendation of the Magistrate Judge. The Court adopted the Report and Recommendation of the Magistrate Judge and found that defendant violated the conditions of supervision as follows:

- 1) new law violation arising out of an arrest on or about  
November 13, 2009.

The Court found the instant violation to be a Grade B and defendant's criminal history to

be I. The Court, after being advised by defendant's supervising officer that there was no need for additional supervision to follow and after considering the factors in Section 3553(a), imposed a sentence of incarceration for the period of time that defendant had served with no additional time imposed and terminated defendant's supervised release.

**IT IS SO ORDERED.**

Dated: May 6, 2011

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE